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09500HB0033ham001

LRB095 03557 DRH 32630 a

1 AMENDMENT TO HOUSE BILL 33

2 AMENDMENT NO. _____. Amend House Bill 33 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Rivers, Lakes, and Streams Act is amended
5 by adding Section 23b as follows:

6 (615 ILCS 5/23b new)

7 Sec. 23b. Dams; signs and buoys.

8 (a) The Department of Natural Resources shall establish
9 specifications for signs and devices that provide warnings of
10 the presence of dams for persons using the public waters of the
11 State. The Department shall establish such specifications
12 pursuant to administrative rule.

13 (b) For dams located in public waters and that are not
14 subject to federal regulation regarding safety standards, the
15 Department of Natural Resources shall examine each dam to
16 determine hazards that may exist at each dam.

1 (c) The Department of Natural Resources shall, after
2 conducting the examination required under subsection (b) of
3 this Section, submit administrative rules setting forth
4 appropriate safety devices to be required at each dam.

5 (d) The Department of Natural Resources shall be authorized
6 to designate enforceable exclusion zones around dams pursuant
7 to administrative rule. Violation of such exclusion zones shall
8 constitute a Class A misdemeanor.

9 (e) Except for willful and wanton misconduct, neither the
10 Department of Natural Resources nor employees or agents of the
11 Department shall be liable for damages, injuries, or deaths
12 occurring at dams located in public waters by reason of the
13 Department's regulation thereof pursuant to this Section.
14 Nothing in this Act shall relieve an owner or operator of a dam
15 from the legal duties, obligations, and liabilities arising
16 from ownership or operation.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.".